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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,486	09/26/2005	Michio Kubota	KUBOTA=16	2976
1444 7590 11/03/2010 BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303			EXAMINER WATTS, JENNA A	
			ART UNIT 1781	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

Continuation of 11.

1. This amendment does not place the application in condition for allowance because: the amendment does not change the rejection of Claim 1 and therefore, the rejection of Claim 1 is maintained for the following reasons.
2. With regard to Applicant's arguments, the Examiner points out that the prior art of Hasegawa and Aga teach that it is known to powderize a functional material such as propolis along with trehalose in order to prepare a stable material with excellent storage stability and further provides motivation for first processing the hydrophobic non-saccharide ingredient such as propolis by adding alcohol. Maruka teaches the claimed saccharide derivatives of alpha, alpha trehalose and teaches that such derivatives, as well as trehalose, can be used as quality improving agents and stabilizers in biologically active substances as well as in health foods and pharmaceuticals containing the biologically active substances and specifically teaches propolis extract as a possible biologically active substance (see Maruka, Column 13, lines 41-62). It is noted that in this disclosure, Maruka does not specify the form of the trehalose, crystalline or amorphous, that is suitable for use.
3. Maruka also teaches the production of powdery or amorphous saccharide derivatives of alpha, alpha-trehalose and teaches in Example A-4 in Column 27 that the resulting product has a mild and high quality sweetness, adequate viscosity and moisture-retaining ability and these render it arbitrarily useful in food products,

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cosmetics, and pharmaceuticals as a sweetener, taste-improving agent, quality-improving agent, stabilizer and filler. Therefore, it is clear from the disclosure of Maruka that the powdery, amorphous saccharide derivatives of alpha, alpha-trehalose is suitable for use in food products and provides similar stabilizing benefits as trehalose, as per Hasegawa's teaching. Therefore, in view of the above discussion, it would have been obvious to one of ordinary skill in the art at the time that the invention was made, for the claimed powdery, amorphous saccharide derivatives of alpha, alpha-trehalose to have been used in the composition of Hasegawa as the trehalose component in order to prepare stable functional materials.

4. Therefore, in view of the above mentioned facts, the rejection is maintained and is deemed proper.

/Jenna A. Watts/

Examiner, Art Unit 1781

November 2, 2010